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Attorneys for Defendants Merrill Lynch & Co., Inc. and 222 Broadway, LLC

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

|                                    |                               |
|------------------------------------|-------------------------------|
| -----X                             |                               |
| IN RE WORLD TRADE CENTER LOWER     | : 21 MC 102 (AKH)             |
| MANHATTAN DISASTER SITE LITIGATION | :                             |
|                                    | :                             |
|                                    | :                             |
|                                    | :                             |
|                                    | :                             |
|                                    | :                             |
| -----X                             |                               |
| ANDRZEJ SIEMEK (AND WIFE, JAMNA    | : 07-CV-01704-AKH             |
| SIEMEK)                            | :                             |
|                                    | : <b>NOTICE OF ADOPTION</b>   |
| Plaintiffs,                        | : <b>OF ANSWER</b>            |
|                                    | : <b>TO MASTER COMPLAINT</b>  |
| - against -                        | : <b>BY MERRILL LYNCH</b>     |
|                                    | : <b>AND 222 BROADWAY</b>     |
| 100 CHURCH LLC., <i>et al.</i> ,   | :                             |
|                                    | : <b>ELECTRONICALLY FILED</b> |
| Defendants.                        | :                             |
| -----X                             |                               |

PLEASE TAKE NOTICE THAT Defendants Merrill Lynch & Co., Inc. (“Merrill Lynch”) and 222 Broadway, LLC (“222 Broadway”), as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their respective Answers to Master Complaint, both dated August 3, 2007, which were filed in the matter of *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH). To the extent that the Check-Off Complaint in this action alleges a relationship between 100 Church Street and Merrill Lynch,

Merrill Lynch avers that it never reoccupied the building at this location after September 11, 2001 and that it terminated all lease arrangements covering this location effective May 8, 2003.

WHEREFORE, Merrill Lynch and 222 Broadway demand judgment dismissing the above-captioned action as against them, together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 18, 2008

DICKSTEIN SHAPIRO LLP

By: /s/ Judith R. Cohen  
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